



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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May 27, 1999

CERTIFIED RETURN RECEIPT

P 074 976 691

Lon Thomas
American Stone
4040 South 300 West
Salt Lake City, Utah 84107

Re: Division Directive, American Stone and Building Incorporated, Rosebud Quarry,
S/003/026, Box Elder County, Utah

Dear Mr. Thomas:

This letter is sent to notify you, that your Rosebud Quarry, or portions thereof, may not be in compliance with certain sections of the Utah Mined Land Reclamation Act 40-8-1 et seq and the Minerals Reclamation Program Rules R647-1 through R647-5. Accordingly, the Division hereby issues this Directive to resolve a potential Non-Compliance situation.

DIRECTIVE:

American Stone is hereby directed to provide the Division with a certified survey of all mining related disturbance associated with the Rosebud Quarry (DOGM file # S/003/026), within 30 days of receipt of this letter. Failure to provide this survey will result in the Division issuing a formal Notice of Non-Compliance. Please contact the Division at least 5 days prior to the scheduled survey so that we may meet with the land surveyor on site.

BACKGROUND:

On May 19, 1999, an inspection was conducted at the Rosebud Quarry by Lynn Kunzler and Doug Jensen of the Minerals Program staff. As part of the site inspection (copy of inspection memo enclosed), it was obvious that the disturbed area has expanded since our August 12, 1998 inspection, when a GPS survey was performed of the disturbed area. The results of that GPS survey showed that the surface disturbance was 4.92 acres. During the latest inspection, the

Page 2
Lon Thomas
S/003/026
May 27, 1999

current disturbance was estimated at 5.5 to 6 acres. This amount of disturbance would require this site to be permitted as a Large Mining Operation. A certified survey of the total surface disturbance will resolve the acreage question.

Also noted during the May 19th inspection was a large fuel tank that has been placed within the project area. We observed contaminated soil that indicates that the fuel is being spilled or the tank is leaking. To prevent accidental release into the environment, this fuel tank needs to be within an area of secondary containment which has a volume of at least 110% of the tank volume. We trust you will resolve this concern by providing the secondary containment and cleaning up and properly disposing of the contaminated soil before the next inspection.

Please contact me or Lynn Kunzler, of my staff, if you have questions concerning the requirements of this directive.

Sincerely,



D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb
Enclosure: 5/20/99 inspection memo
cc: Mary Ann Wright, DOGM
Cheryl Martinez, BLM
Lynn Kunzler, DOGM
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